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EXAMINER

FITZGERALD, JOHN P

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 11/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

10/067,129

Applicant(s)

HENDRICKS ET AL.

Examiner

John P Fitzgerald

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12,18-22 and 33-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12,18-22 and 33-43 is/are rejected.
- 7) ☒ Claim(s) 42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment filed 18 August 2003 is objected to under 35 U.S.C. § 132 because it introduces new matter into the disclosure. 35 U.S.C. § 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the addition of Figure 8, added claims 34 and 35, and the corresponding text supporting the relative dimensional values of the locations of D1, D2, P1, D3, Ln1 and Ln2, i.e., D1 being substantially less than half the magnitude of the distance D3, is considered as new matter, since there was no mention of the distances and/or their associative relative magnitudes. Applicant's argument that the new matter added is implicitly supported by Figure 5a is incorrect, since the Figures provided are for illustrative purposes of the instant invention, and are considered "not to scale."

Applicant is required to cancel the new matter in the reply to this Office Action.

2. In view of applicant's amendment filed 18 August 2003, rejection of claims 8 and 12 under 35 U.S.C. § 122, are withdrawn. However, applicant did not address the objections to the drawings and to the specification, which remain present in the instant application.

Drawing Objections

3. The drawings are objected due to incorrect Figure numbers. The specification refers to Figures 4, 5 and 6, but the drawings contain Figures 4a, 4b, 5a, 5b, 6a and 6b. A proposed

drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification Objections

4. The abstract of the disclosure is objected to because it contains the legal term “comprises.” Correction is required. See MPEP § 608.01(b).
5. Claim 42 is objected to because of the following informalities: there are two instances of claim 42, a first one, dependent upon claim 3, and a second one, dependent upon claim 6. For the purposes of prosecution, the second claim 42 is assumed by the examiner to be claim 43. Appropriate correction is required.

Claim Rejections - 35 USC § 102

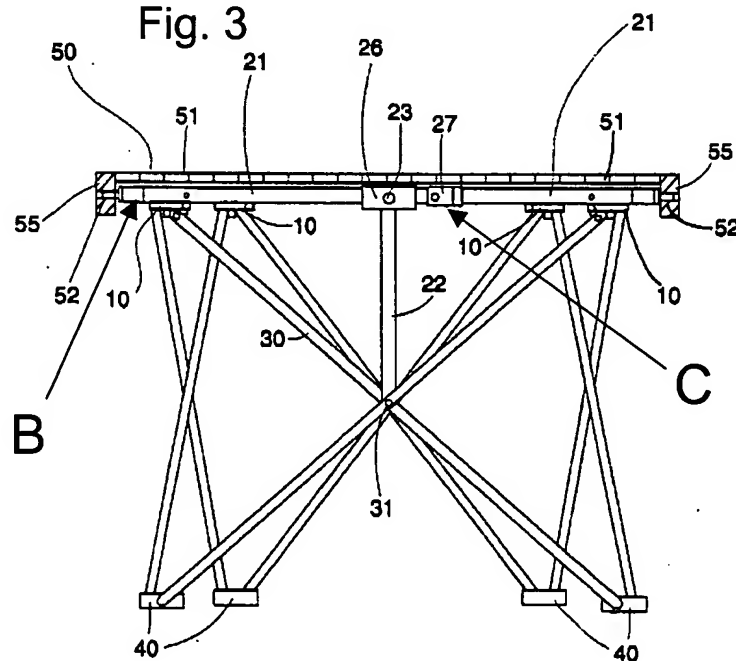
6. Claims 8-12 are rejected under 35 U.S.C. § 102(b) as being anticipated by US 6,158,361 to Zheng et al. US 6,158,361 to Zheng et al. disclose a collapsible table frame for supporting a compatible table top thereon (Figs. 1-8) the table frame comprising: a collapsible table frame body (60); first and second pairs of frame top joints (10) mounted for pivotation with respect to a top of the collapsible table frame body; first and second table top support arm assemblies (20), each table top support arm assembly comprising a pair of table top support arms (21), first and second table top support arm holders (26) , a support arm pillar (22) for supporting the respective table top support arm holders, and a connector (23) (US 6,158,361 to Zheng et al.: col. 4, lines 3-5) connecting the top support arm holders to each other and to the support arm pillar, each table top support arm on the respective table top support arm assembly having an outward end (B)

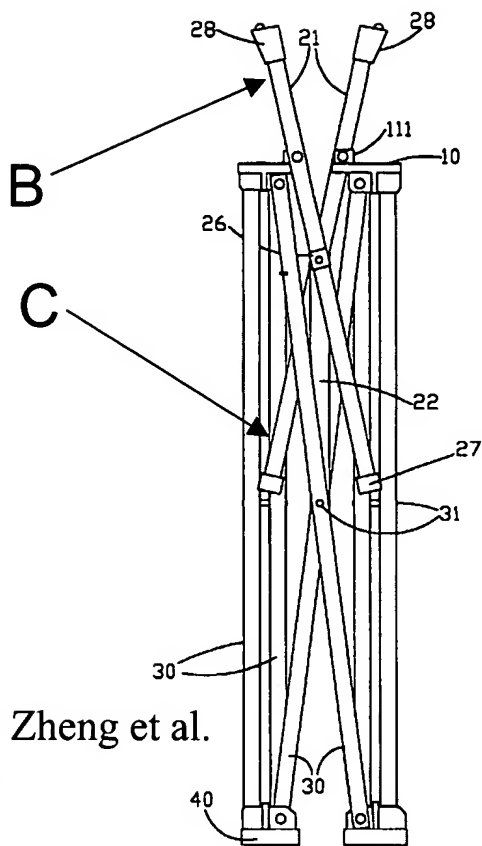
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extending away from the support arm pillar and an inward end proximate the support arm pillar, at least one of the support arms on each of the top support arm assembly comprising a flared portion thereof (see Figure 2 below) proximate the inward end of the respective support arm, wherein the inward ends of each pair of the table top support arms extend inwardly to slidably connect to the collapsible table frame through respective ones of the table top support holders whereby when the table frame is set up, the flared portion of the respective table top serves as a stop to arrest sliding of the respective support arm through the respective support arm holder (as recited in claim 8); wherein when the table frame is fully erected, the two support arms in each pair of table top support arms are parallel to each other (Fig. 1) and the respective support arms in the pair, in combination, extend along generally parallel lines between respective ones of the frame joints, and wherein bottom ends of the two support arm pillars are mounted for pivotation with respect to the collapsible frame body (as recited in claim 9); wherein the table top support arm holders are mounted for pivotation with respect to the respective support arm pillar thereby to facilitate sliding of (Fig. 6) (US 6,158,361 to Zheng et al.: col. 6, lines 34-42) the table top support arms through the table top support holders (as recited in claim 10); wherein in order to collapse the collapsible table frame, each table top support arm slides through a respective table top support arm holder inwardly (Fig. 6) and toward a respective top joint, and rotates about the frame top joint such that the inward end of the respective table top support arm moves downward, with the table top support arm holders in each table support assembly rotating in opposite directions as the respective table top support arms rotate and slide inwardly and downwardly to a downward position as the table frame is collapsed (US 6,158,361 to Zheng et al.: col. 6, lines 44-51) (as recited in claim 11); wherein in order to erect the collapsible table

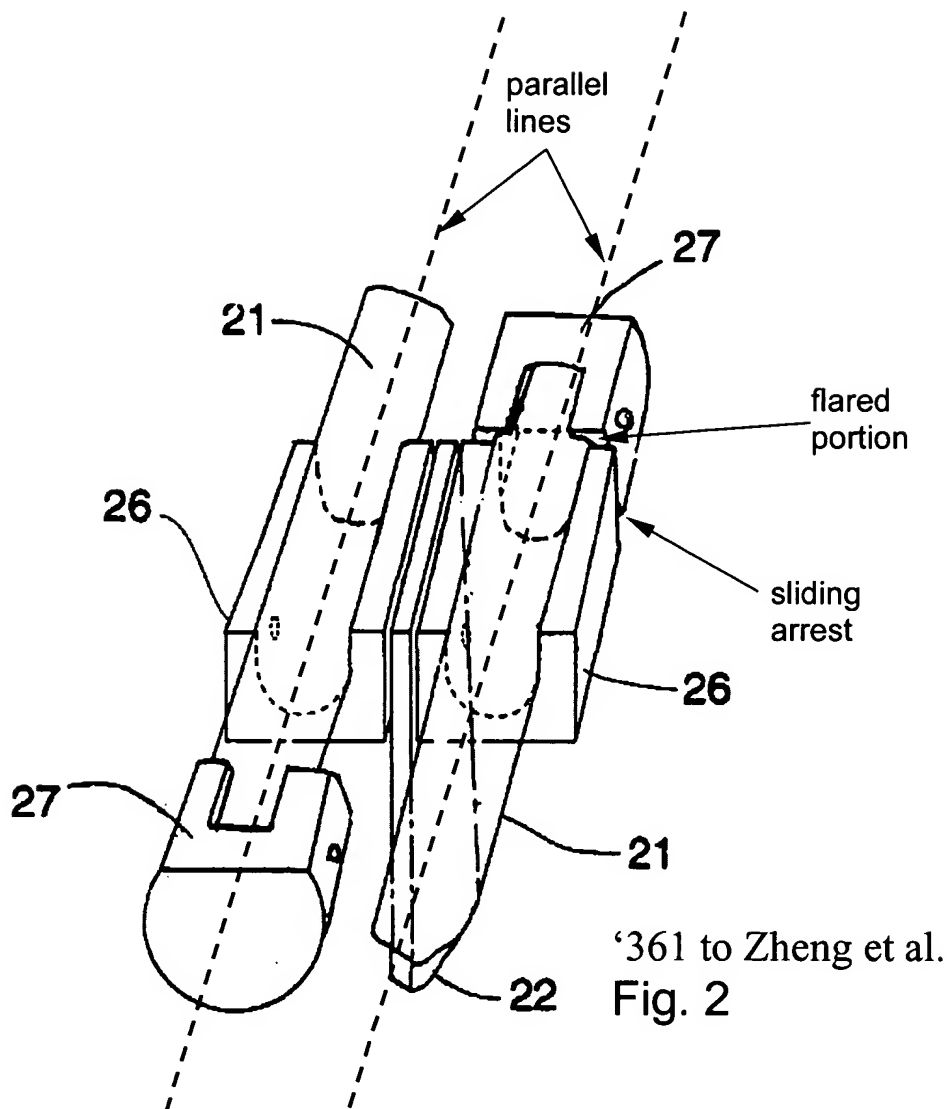
'361 to Zheng et al.

Fig. 3





'361 to Zheng et al.
Fig. 6



Claim Rejections - 35 USC § 103

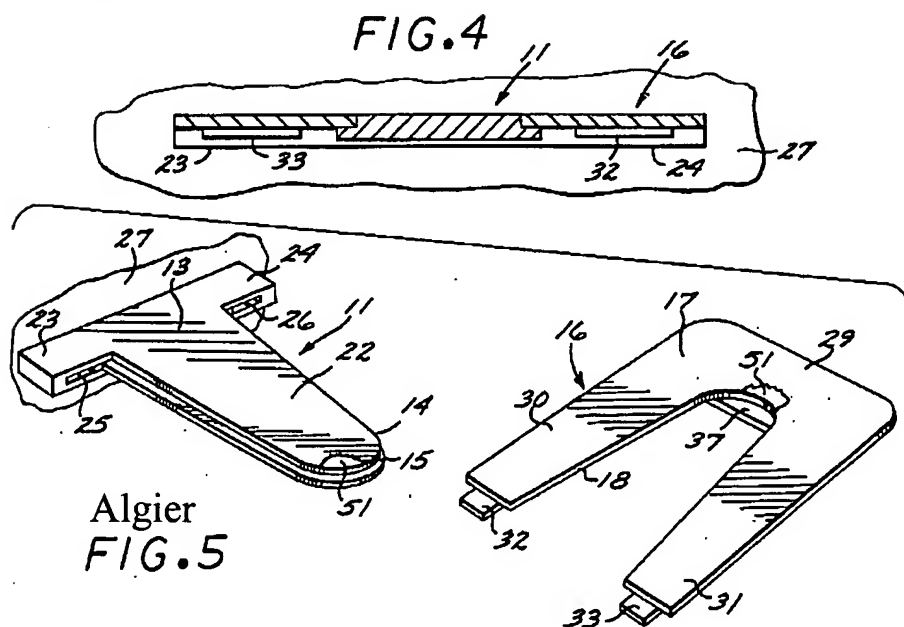
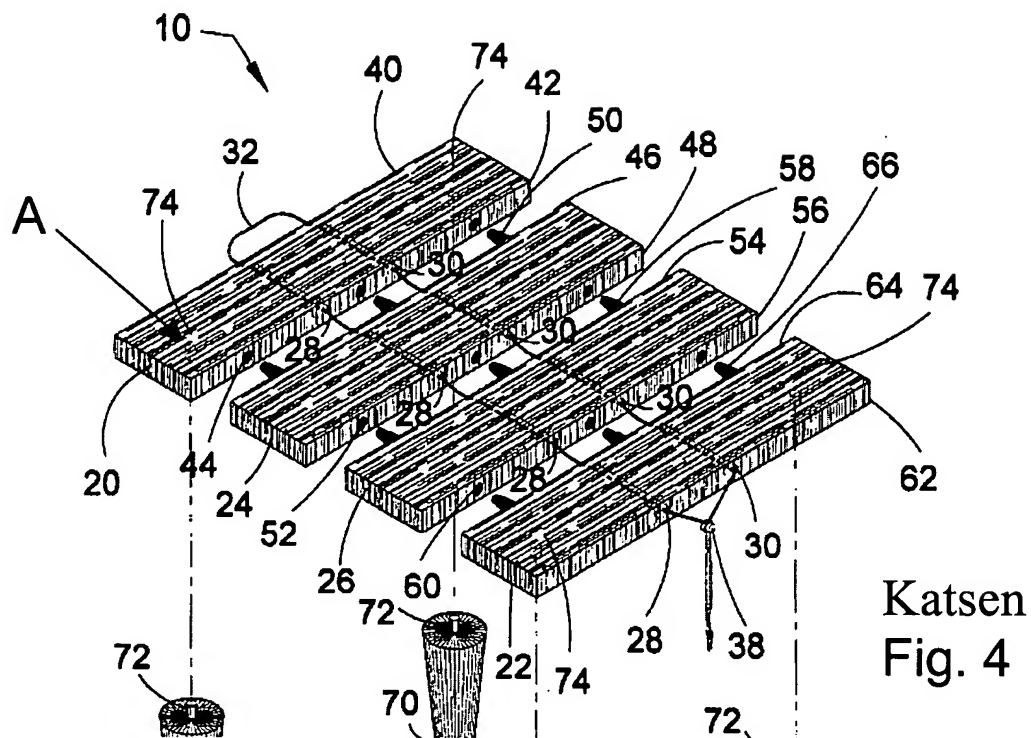
7. Claims 1-3 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsen and Algier. Katsen discloses a table top (Figs. 1-10) comprising a plurality of leaf elements (20, 22, 24, 26) detachably connected to each other and arranged in side by side relationship with respect to each other to form a generally continuous upper surface of the table top, the table top having a length and width, each leaf element having a length, and a respective first and second side edges, extending along the width of the table top, and a width, and third and fourth opposing

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edges, extending along the length of the table top, each leaf element comprising a top surface and a bottom surface, the plurality of leaf elements having, in combination, interface structure (A) on respective ones of the leaf elements “for” mounting the table top to a compatible table frame, each leaf element further comprising at least one of a connector pins (50, 58, 66) or a connector receptacle hole (44, 42, 60), disposed at an intermediate location on at least one of the first and second side edges, the at least one connector pin or connector receptacle hole being disposed between the respective top surface and the bottom surface of the respective leaf element (see Figure 4 below), the combination of the connector pins and connector receptacle holes comprising pin-connector combinations which are effective to releasably join the leaf elements together in forming the generally continuous upper surface of the table top, whereby a force imposed on one leaf element, including at a edge thereof, can be transferred to an adjacent one of the leaf elements through one or more of the respective pin-connector combinations; wherein end ones of the leaf elements have a first side edge bearing the pins or holes and a second side edge free from the pins or holes, and wherein intermediate ones of the leaf elements, disposed inwardly of the end leaf elements in the table as assembled, have first and second opposing side edges both bearing the pins or slots. Katsen does not expressly disclose a table top wherein the connectors are “tabs” and the connector receptacles are “slots;” wherein each leaf element having at least two of end tables and/or receptacle end slots, disposed adjacent the opposing end edges thereof; the leaf elements bearing both tabs and slots on first and second side edges thereof; wherein the end leaf elements further comprising visually discernable differences to distinguish the end leaf elements from the intermediate leaf elements, thereby to assist in assembly of the table top and wherein the visually discernable differences being color coding,

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effective to distinguish the end leaf elements from the intermediate leaf elements (as recited in claim 42). Algier teaches a table top (Figs. 1-11) having elements (13, 16) detachably connected to each other forming a generally continuous upper surface of the table top; wherein the table top elements having end tab connectors (32, 33) and compatible end connector receptacle slots (25, 26), both located adjacent to a side edge of the table top and comprising a tab-connector combination; wherein the table top elements further comprise visually discernable differences via numbering or color coding, or include other indicia (Algier: col. 5, lines 24-25) thereby assisting a user in placing the table top elements in proper sequence during assembly of the table top. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the tab-connector combination and color coding taught by Algier, modifying the table top leaf elements disclosed by Katsen, thus providing identifying marks on the table top elements so that the proper one of the detachable elements are matched with one another (Algier: col. 5, lines 28-32). In specific regards to the locations of the connector tabs and connector slots on the leaf elements, it would have been obvious to one having ordinary skill in the art at the time the invention was made to locate either connector tabs or connector slots on either side edge of adjacent leaf elements, or locating a tab-connector combination at any intermediate point along the side edges of the leaf elements, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70 (CCPA 1950).



8. Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen and Algier. Katsen discloses a table top (Figs. 1-10) comprising a plurality of leaf elements (20, 22, 24, 26) arranged in side by side relationship with respect to each other, and joined to each

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other, to form a generally continuous upper surface of the table top, the table top having a length, and a width, each leaf element having a length, and a width, and a respective first and second side edges, extending along the width of the table top, and a width, and a respective third and fourth opposing edges, extending along the length of the table top, the plurality of leaf elements having, in combination, interface structure (A) on respective ones of the leaf elements for mounting the table top to a compatible table frame, each leaf element having a top surface, the leaf elements further comprising structure (50, 58, 66 and 44, 42, 60) assisting in the effecting the joinder of the leaf elements to each other in side by side relationship thus maintaining the top surfaces of the leaf elements in alignment so as to provide a generally contiguous upper surface of the table top (as recited in claim 5). Katsen does not expressly disclose a table top wherein end ones of the leaf elements and intermediate ones of the leaf elements being distinguished by one of surface texture differences and markings molded into the top surfaces of respective ones of the leaf elements, whereby the end leaf elements can readily be visually distinguishable from the intermediate leaf elements, thereby to assist in assembly of the table top; including intermediate connector tabs and slots at intermediate locations of adjoining edges of the leaf elements and end tabs and slots at ends of the adjoining edges of the leaf elements, such that the tabs and slots, in combination, maintain a generally continuous upper surface of the table top. Algier teaches a table top (Figs. 1-11) having elements (13, 16) detachably connected to each other forming a generally continuous upper surface of the table top; wherein the table top elements having end tab connectors (32, 33) and compatible end connector receptacle slots (25, 26), both located adjacent to a side edge of the table top and comprising a tab-connector combination; wherein the table top elements may be numbered or color coded, or include other

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indicia (Algier: col. 5, lines 24-25) thereby assisting a user in placing the table top elements in proper sequence during assembly of the table top. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the tab-connector combination and color coding and/or indicia taught by Algier, modifying the table top leaf elements disclosed by Katsen, thus providing identifying marks on the table top elements so that the proper one of the detachable elements are matched with one another (Algier: col. 5, lines 28-32). In specific regards to the locations of the connector tabs and connector slots on the leaf elements, it would have been obvious to one having ordinary skill in the art at the time the invention was made to locate either connector tabs or connector slots on either side edge of adjacent leaf elements, or locating a tab-connector combination at any intermediate point along the side edges of the leaf elements, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70 (CCPA 1950).

9. Claims 6, 7 and 43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen and Algier. Katsen discloses a table top (Figs. 1-10) having a plurality of leaf elements (20, 22, 24, 26) lying in side by side relationship with respect to each other, and joined to each other, to form a generally continuous upper surface of the table top, the table top having a length, and a width, each leaf element having a length, and a width, and a respective first and second side edges, extending along the width of the table top, and a width, and a respective third and fourth opposing edges, extending along the length of the table top, the plurality of leaf elements having, in combination, interface structure (A) on ones of the leaf elements for mounting the table top to a compatible table frame, each leaf element further having structure (50, 58, 66 and 44, 42, 60) assisting in the effecting the joinder of the leaf elements to each other in side by side

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relationship. Katsen does not expressly disclose a table top wherein end ones of the leaf elements and intermediate ones of the leaf elements further comprising visually discernable differences to distinguish the end leaf elements from the intermediate ones of the leaf elements, wherein the visually discernable difference being color coding, effective to distinguish the end leaf elements from the intermediate leaf elements, thereby to assist in assembly of the table top; including intermediate connector tabs and slots at intermediate locations of adjoining edges of the leaf elements and end tabs and slots at ends of the adjoining edges of the leaf elements, such that the tabs and slots, in combination, maintain a generally continuous upper surface of the table top. Algier teaches a table top (Figs. 1-11) having elements (13, 16) detachably connected to each other forming a generally continuous upper surface of the table top; wherein the table top elements having end tab connectors (32, 33) and compatible end connector receptacle slots (25, 26), both located adjacent to a side edge of the table top and comprising a tab-connector combination; wherein the table top elements further comprise visually discernable differences via numbering or color coding, or include other indicia (Algier: col. 5, lines 24-25) thereby assisting a user in placing the table top elements in proper sequence during assembly of the table top. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the tab-connector combination and color coding and/or indicia taught by Algier, modifying the table top leaf elements disclosed by Katsen, thus providing identifying marks on the table top elements so that the proper one of the detachable elements are matched with one another (Algier: col. 5, lines 28-32). In specific regards to the locations of the connector tabs and connector slots on the leaf elements, it would have been obvious to one having ordinary skill in the art at the time the invention was made to locate either connector tabs

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or connector slots on either side edge of adjacent leaf elements, or locating a tab-connector combination at any intermediate point along the side edges of the leaf elements, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70 (CCPA 1950).

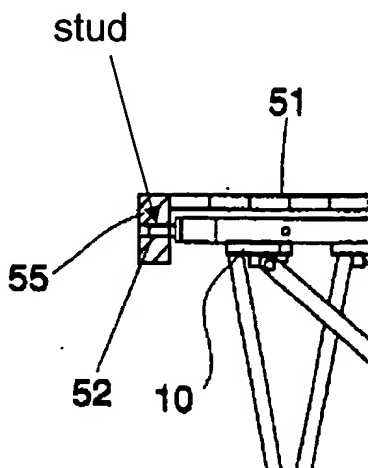
10. Claims 18-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US 6,158,361 to Zheng et al., Katsen and Izumi. US 6,158,361 to Zheng et al. disclose a collapsible table (Figs. 1-8) having a collapsible table frame (60) for supporting a compatible table top (50) thereon; a table top comprising a plurality of leaf elements (51) connected to each other in serial edge-to-edge relationship to form a generally continuous upper surface of the table top, the table top having first and second ends, and opposing side edges extending between the first and second ends, the table top, when assembled, comprising flanges (55) extending downwardly from the first and second ends of the table top and interfacing (Fig. 3) with the table frame so as to attach the table top to the table frame; the flanges comprising apertures (52), the frame comprising support arms (21) having studs (S) extending into and through the apertures in the flanges; the studs being extended as the frame is set up, so as to enter the apertures in the flanges, and retract away from the apertures as an inherent function of collapsing the frame. US 6,158,361 to Zheng et al. do not expressly disclose a collapsible table wherein the plurality of leaf elements forming the surface of the table top are detachably connected to each other; the flanges extend downwardly from respective loci inwardly of the first and second ends of the table top; wherein the studs extend into and through the apertures in the flanges, and extending outwardly from the apertures beyond the flanges; the studs extending through the apertures in the flanges as the frame is set up, and retracting through the apertures as an inherent function of collapsing the

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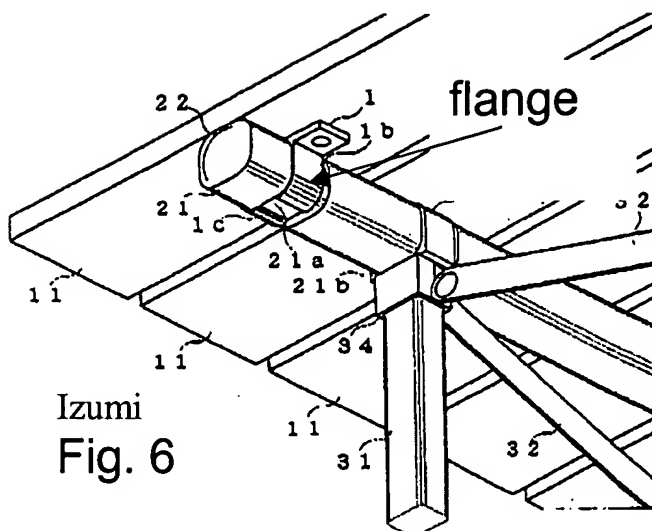
frame. Katsen teaches a table top (Figs. 1-10) having a plurality of leaf elements (20, 22, 24, 26) forming a surface of the table top and which are detachably connected to each other by pin-hole combinations (50, 58, 66 and 44, 42, 60). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the table top with detachably connected leaf elements taught by Katsen, modifying the table top disclosed by US 6,158,361 to Zheng et al., thus providing a collapsible table that is light, easy to carry when collapsed, and can be quickly assembled and disassembled (Katsen: col. 3, lines 3-8). Izumi teaches a collapsible table (Figs. 1-8) having a collapsible frame including support arms (21) having studs (22) extend into and through apertures in flanges (1) extending downwardly from respective loci inwardly of the first and second ends of a table top (10); the studs also extending outwardly from the apertures beyond the flanges. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the flanges located inwardly from the first and second ends of the table top and having the studs extend through the apertures in the flanges, as taught by Izumi, modifying the collapsible table disclosed by US 6,158,361 to Zheng et al. and Katsen, thus providing a collapsible table that is erected easily and has minimum rocking (Izumi: col. 1, lines 52-57). In specific regards to claims 21 and 22, US 6,158,361 to Zheng et al. further disclose the erection and collapsing of the collapsible table wherein in order to collapse the collapsible table frame, each table top support arm slides through a respective table top support arm holder inwardly (Fig. 6) and toward a respective top joint, and rotates about the frame top joint such that the inward end of the respective table top support arm moves downward, with the table top support arm holders in each table support assembly rotating in opposite directions as the respective table top support arms rotate and slide inwardly and

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downwardly to a downward position as the table frame is collapsed (US 6,158,361 to Zheng et al.: col. 6, lines 44-51); wherein in order to erect the collapsible table frame, each table top support arm rotates about the frame top joint such that the inward end thereof moves upward and the support arm slides through a respective table top support arm holder away from a respective top joint, with the table top support arm holders in each table support assembly rotating in opposite directions as the respective table top support arms slide outwardly and upwardly as the table frame is erected, sliding movement of the table top support arms being susceptible of being arrested by the flanges as the table frame reaches a fully erected configuration (US 6,158,361 to Zheng et al.: col. 6, lines 52-62); and thus attaching the table top on the studs within the apertures. It would have been obvious to one having ordinary skill in the art at the time the invention was made to assemble the collapsible table having a collapsible frame and table top by employing the method steps disclosed by US 6,158,361 to Zheng et al. Furthermore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to assemble the collapsible table comprising the elements disclosed by US 6,158,361 to Zheng et al., Katsen and Izumi, in any manner or method.



'632 to Zheng et al.
Fig. 3



Izumi
Fig. 6

11. Claim 33 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen. Katsen discloses a table top (Figs. 1-10) comprising a plurality of leaf elements (20, 22, 24, 26) detachably connected to each other and arranged in side by side relationship with respect to each other, and joined to each other, to form a generally continuous upper surface of the table top, the table top having a length, and a width, each leaf element having a length, and a width, and a respective first and second side edges, extending along the width of the table top, and a width, and a respective third and fourth opposing edges, extending along the length of the table top, the plurality of leaf elements comprising, in combination, interface structure (A) on respective ones of the leaf elements for mounting the table top to a compatible table frame, each leaf element having a top surface, each of the leaf elements further comprising connecting elements of connector protuberances and receptacles (50, 58, 66 and 44, 42, 60), disposed at an intermediate location on at least one of the first and second side edges, the side edges of the end leaf elements being substantially devoid of support structure which is adapted to support an adjacent one of the leaf elements, the connecting elements assisting in the effecting the joinder of the leaf elements

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to each other in side by side relationship thus maintaining the top surfaces of the leaf elements in alignment so as to provide a generally contiguous upper surface of the table top. In specific regards to the locations of the connector protuberances and connector receptacles on the leaf elements, it would have been obvious to one having ordinary skill in the art at the time the invention was made to locate either connector tabs or connector slots on either side edge of adjacent leaf elements, or locating a protuberance and receptacle connector combination at any intermediate point along the side edges of the leaf elements, or in fact having portions devoid of such structure, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70 (CCPA 1950).

12. Claim 39 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen as applied to claim 33 above, and further in view of Izumi. Katsen discloses a table top having all of the elements stated previously. Katsen does not expressly disclose a table top wherein the interface structure on respective ones of the leaf elements for mounting the table top to a compatible table frame comprising flanges which extend downwardly from respective ones of the leaf elements. Izumi teaches a collapsible table (Figs. 1-8) having a collapsible frame including support arms (21) having studs (22) extend into and through apertures in flanges (1) extending downwardly from respective loci inwardly of the first and second ends of a table top (10); the studs also extending outwardly from the apertures beyond the flanges. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the flanges located inwardly from the first and second ends of the table top to receive a portion of a compatible table frame through the apertures in the flanges, as taught by Izumi, modifying the

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collapsible table top disclosed by Katsen, thus providing a collapsible table that is erected easily and has minimum rocking (Izumi: col. 1, lines 52-57).

13. Claim 34 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen. Katsen discloses a table top (Figs. 1-10) comprising a plurality of leaf elements (20, 22, 24, 26) detachably connected to each other and arranged in side by side relationship with respect to each other, and joined to each other, to form a generally continuous upper surface of the table top, the table top having a length, and a width, each leaf element having a length, and a width, and a respective first and second side edges, extending along the width of the table top, and a width, and a respective third and fourth opposing edges, extending along the length of the table top, the plurality of leaf elements comprising, in combination, interface structure (A) on respective ones of the leaf elements for mounting the table top to a compatible table frame, each leaf element having a top surface, each of the leaf elements further comprising, as connecting elements, connector protuberances and receptacles (50, 58, 66 and 44, 42, 60), disposed at an intermediate location on at least one of the first and second side edges, the side edges of the end leaf elements being substantially devoid of support structure which is adapted to support an adjacent one of the leaf elements, the connecting elements assisting in the effecting the joinder of the leaf elements to each other in side by side relationship thus maintaining the top surfaces of the leaf elements in alignment so as to provide a generally contiguous upper surface of the table top. In specific regards to the locations and separation distances (new matter) of the connector protuberances and connector receptacles on the leaf elements, it would have been obvious to one having ordinary skill in the art at the time the invention was made to locate either connector tabs or connector slots on either side edge of adjacent leaf elements, or locating a protuberance and receptacle

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connector combination at any intermediate point along the side edges of the leaf elements, or in fact having portions devoid of such structure, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70 (CCPA 1950).

14. Claim 40 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen as applied to claim 34 above, and further in view of Izumi. Katsen discloses a table top having all of the elements stated previously. Katsen does not expressly disclose a table top wherein the interface structure on respective ones of the leaf elements for mounting the table top to a compatible table frame comprising flanges which extend downwardly from respective ones of the leaf elements. Izumi teaches a collapsible table (Figs. 1-8) having a collapsible frame including support arms (21) having studs (22) extend into and through apertures in flanges (1) extending downwardly from respective loci inwardly of the first and second ends of a table top (10); the studs also extending outwardly from the apertures beyond the flanges. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the flanges located inwardly from the first and second ends of the table top to receive a portion of a compatible table frame through the apertures in the flanges, as taught by Izumi, modifying the collapsible table top disclosed by Katsen, thus providing a collapsible table that is erected easily and has minimum rocking (Izumi: col. 1, lines 52-57).

15. Claim 35 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen. Katsen discloses a table top (Figs. 1-10) comprising a plurality of leaf elements (20, 22, 24, 26) detachably connected to each other and arranged in side by side relationship with respect to each other, and joined to each other, to form a generally continuous upper surface of the table top, the table top having a length, and a width, each leaf element having a length, and a width, and a

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respective first and second side edges, extending along the width of the table top, and a width, and a respective third and fourth opposing edges, extending along the length of the table top, the plurality of leaf elements comprising, in combination, interface structure (A) on respective ones of the leaf elements for mounting the table top to a compatible table frame, each leaf element having a top surface, each of the leaf elements further comprising, as connecting elements, connector protuberances and receptacles (50, 58, 66 and 44, 42, 60), disposed at an intermediate location on at least one of the first and second side edges, the side edges of the end leaf elements being substantially devoid of support structure which is adapted to support an adjacent one of the leaf elements, the connecting elements assisting in the effecting the joinder of the leaf elements to each other in side by side relationship thus maintaining the top surfaces of the leaf elements in alignment so as to provide a generally contiguous upper surface of the table top. In specific regards to the locations and separation distances (new matter) of the connector protuberances and connector receptacles on the leaf elements, it would have been obvious to one having ordinary skill in the art at the time the invention was made to locate either connector tabs or connector slots on either side edge of adjacent leaf elements, or locating a protuberance and receptacle connector combination at any intermediate point along the side edges of the leaf elements, or in fact having portions devoid of such structure, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70 (CCPA 1950).

16. Claim 41 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsen as applied to claim 35 above, and further in view of Izumi. Katsen discloses a table top having all of the elements stated previously. Katsen does not expressly disclose a table top wherein the interface structure on respective ones of the leaf elements for mounting the table top to a

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compatible table frame comprising flanges which extend downwardly from respective ones of the leaf elements. Izumi teaches a collapsible table (Figs. 1-8) having a collapsible frame including support arms (21) having studs (22) extend into and through apertures in flanges (1) extending downwardly from respective loci inwardly of the first and second ends of a table top (10); the studs also extending outwardly from the apertures beyond the flanges. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ the flanges located inwardly from the first and second ends of the table top to receive a portion of a compatible table frame through the apertures in the flanges, as taught by Izumi, modifying the collapsible table top disclosed by Katsen, thus providing a collapsible table that is erected easily and has minimum rocking (Izumi: col. 1, lines 52-57).

Response to Arguments

17. Applicant's arguments filed 18 August 2003 have been fully considered but they are not persuasive. Specifically addressing applicant's argument regarding the limitation "flared portion" located at the end of the support arm assembly, the Examiner asserts that '361 to Zheng discloses this limitation. Note, the word "flare," defined by the Merriam-Webster dictionary, 10th edition is: to open or spread outward. Clearly, '361 to Zheng, Figure 2, indicates a "flared" portion. Applicant's arguments regarding the "tabs" and "slots" (connecting elements) being disposed between the top and bottom surfaces of the leaf elements, is not shown in the combination of Katsen and Algier. Katsen clearly indicates the locations of the connecting elements between the top and bottom surfaces in Figure 4. Furthermore, as pointed out in the rejections above, the locations of the "tabs and slots," in particular, the first and second opposing

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side edges both bearing the tabs and slots, it would be obvious to one having ordinary skill in the art to arrange the connecting elements in any manner so desired. In specific regards to applicant's argument that the "intermediate leaf elements" are color coded or surface texture differences and markings to visually distinguish the intermediate leaf elements from the end leaf elements is not persuasive. Algier clearly teaches that the table tops may be colored to visually distinguish them from each other, as well as the addition of indicia, and placement in corresponding patterns with the associate end leaf elements of the table tops. Furthermore, the Examiner states that the color or texture (such as in the case of utilizing a specific material, such as wood having a natural grain surface texture) for any one of the leaf elements, or any portion thereof, is considered to be a design choice, and well with the ordinary skill level of one in the art. Applicant further argues that the combination of the '631 to Zheng, Katsen and Izumi does not teach the limitation of flanges which extend downwardly. Izumi clearly teaches this limitation and is completely applicable in combination with '631 to Zheng and Katsen, as pointed out in the rejection above. Lastly, applicant's argument regarding method claims 21 and 22 is not persuasive, and the Examiner disagrees. The Examiner again asserts that assembling a table top and/or the associate operation or method steps in the erections of a table top frame is well within the ordinary skill level of one in the art.

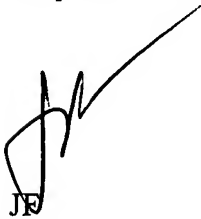
Conclusion

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Fitzgerald whose telephone number is (703) 305-4851. The examiner can normally be reached on Monday-Friday from 7:00 AM to 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai, can be reached on (703) 308-2486. The fax phone number for the organization where this application or proceeding is assigned is (703)-872-9306. Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1113.



JP

11/03/2003

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